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United States District Court Southern District of Texas

## **ENTERED**

May 04, 2016

David J. Bradley, Clerk

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS BROWNSVILLE DIVISION

MELQUIADES MENDIOLA, JR.,	§	
Plaintiff,	§	
	§	
V.	§	CIVIL ACTION NO. B-15-080
	§	
STATE OF TEXAS, ET AL.,	§	
Defendants.	§	

## **ORDER**

Pending is the Magistrate Judge's March 31, 2016, Report and Recommendation in the above-referenced cause of action. [Doc. No. 19] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, Melquiades Mendiola, Jr.'s complaint [Doc .No. 1] is dismissed for failure to state a claim upon which relief can be granted. Alternatively, Mendiola's petition is dismissed for failure to comply with the Court's order to pay the appropriate filing fee.

Signed this 4<sup>th</sup> day of May, 2016.

Andrew S. Hanen

United States District Judge